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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,529	10/01/2003	Mamoru Sakamoto	243466US2	5360

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EXAMINER

KIM, KENNETH S

ART UNIT PAPER NUMBER

2111

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/674,529		SAKAMOTO, MAMORU	
	Examiner		Art Unit	
	Kenneth S. KIM		2111	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

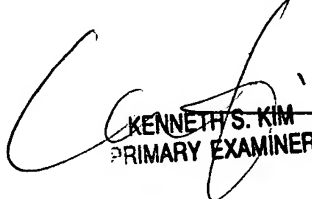
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2006.
 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
 4a) Of the above claim(s) 20 is/are withdrawn from consideration.
 5) ☒ Claim(s) 11-19 is/are allowed.
 6) ☒ Claim(s) 1-10 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.


 KENNETH S. KIM
 PRIMARY EXAMINER

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>October 1, 2003</u> | 6) <input type="checkbox"/> Other: _____ |

1. Claims 1-19 has been elected for examination and claim 20 remain withdrawn.

2. Applicant's election with traverse of *claims 1-19* in the reply filed on *March 1, 2006* is acknowledged. The traversal is on the ground(s) that *examiner failed to establish undue burden to examine the non-elected claim*. This is not found persuasive because *processing an interrupt handler that accesses a global variable by updating the global variable prior to executing the handler when an interrupt occurs during an atomic process on the global variable is so different from postponing the execution of an interrupt handler to a later point identified by a set breakpoint. A proper search and examination requires a complete new search and examination on the non-elected claim posing an undue burden on the examiner.*

The requirement is still deemed proper and is therefore made FINAL.

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, it is not clear what is the difference between the first and the second areas.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Casper et al taught a method of setting a breakpoint.

Peri et al taught a method of setting and clearing a breakpoint.

Yabq et al taught a method of holding interrupts in an interrupt queue.

Attimont et al taught a method of delaying interrupt processing.

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6. Claims 11-19 are allowed over the prior art of record. The references of prior art do not teach the interrupt processing scheme of setting breakpoints for interrupt processing in an interrupt acceptable portion of the program when an interrupt occurs during an interrupt unacceptable portion of the program.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth S KIM whose telephone number is (571) 272-3627. The examiner can normally be reached on M-F (8:30-17:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for all communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.

March 13, 2006


KENNETH S. KIM
PRIMARY EXAMINER